

Town Board Meeting Agenda
September 15, 2014
Meeting No. 26

THIS MEETING IS BEING RECORDED



1. ***Roll Call:***
2. ***Pledge of Allegiance:***
3. ***Invocation – Dino J. Fudoli, Supervisor***
4. ***Persons Addressing the Town Board (on prefiled or suspended resolutions only):***

The Town Board will hear the concerns of persons desiring to address the Town Board on any **prefiled or proposed suspended resolutions** for a period of thirty (30) minutes.

Procedure

1. Raise his/her hand and be recognized by the Supervisor.
2. Give his/her name and address to the Town Clerk.
3. Speak directly to the Town Board members, not the audience, using the microphone provided.
4. Speak **once for five (5) minutes or less**, unless the Town Board grants a speaker an extension of this time limit.

5. ***Public Hearings at 7:15 P.M.: Rezone: 00 & 5425 William Street***
6. ***Official Reports:***
7. ***Report of Town Board Committees:***
8. ***Presentations of prefiled resolutions by Town Board Members:***
 1. Fudoli/ _____ Approve Minutes Of The Regular Meeting Of The Town Board Held September 2, 2014
 2. Fudoli/ _____ Approve Audited Claims
 3. Ruffino/ _____ Acknowledge Issuance Of Building Permits
 4. Abraham/ _____ Authorize Aid Application Re: Land Acquisition For Lancaster Library [**State Aid**]
 5. Ruffino/ _____ Authorize Agreement Lancaster Central School District Re: Use Of School Property & Facilities [**Parks & Recreation**]
 6. Ruffino/ _____ Approve Site Plan Advantage Fitness, LLC Facility [**Advantage Fitness LLC**]
 7. Ruffino/ _____ Set Public Hearing Re: Amend V&T Ordinance Re: Stop & Yield Intersections Hidden Pines Subdivision [**Ordinance: V&T Stop & Yield Intersections**]
 8. Ruffino/ _____ Authorize Sale Of Property At 321 Columbia Avenue To NorthPoint Free Will Baptist Church [**Surplus Property**]

- 9. Fudoli/ _____ Authorize Preparation Of PO-17 Form New Position Duties Statement For Two Part-Time Court Officers [**Court Officer**]
- 10. Abraham/ _____ Authorize Auction Of Surplus Town Equipment [**Surplus Property**]
- 11. Fudoli/ _____ Establish Standard Work Days For Employees Re: NYS Retirement System [**NYS Retirement System**]
- 12. Fudoli/ _____ Authorize Change Order No. 1 To California Skateparks For Enhancements For Bryce Buchholz Memorial Skatepark [**Skatepark**]
- 13. Fudoli/ _____ Appoint Catherine Braniecki Assessment Review Board Member [**Braniecki, Catherine**]

9. *Presentation of Communications By Town Clerk:*
(See Schedule Attached)

10. *Persons Addressing the Town Board (on any subject):*

The Town Board will hear the concerns of persons desiring to address the Town Board on any Town of Lancaster subject for a period of thirty (30) minutes.

Procedure

- 1. Raise his/her hand and be recognized by the Supervisor.
- 2. Give his/her name and address to the Town Clerk.
- 3. Speak directly to the Town Board members, not the audience, using the microphone provided.
- 4. Speak **once for five (5) minutes or less**, unless the Town Board grants a speaker an extension of this time limit.

11. *Adjournment:*

COMMUNICATIONS & REPORTS

- 514. General Crew Chief to Supervisor and Town Board –**
Request for appointment of individuals to the position of part-time permanent employee for the fall/winter 2014 in the Parks, Recreation & Forestry Dept.
Disposition =

515. Police Chief to Town Clerk –
Articles and communications. Disposition =
516. Lancaster Town Court Justices to Supervisor and Town Board –
Request for creation of two additional substitute, part-time court officer positions.
Disposition =
517. Damian Martelli to Supervisor –
Letter of resignation from position of Dog Control Officer. Disposition –
518. NYS Senator Patrick Gallivan to Town Clerk --
Notice of receipt of resolution passed on August 4, 2014, requesting NYS DEC to
revoke/deny any permit granted or under consideration by Quasar Energy Group
allowing “Equate” to be spread on farmland within Erie, Wyoming or Niagara
Counties. Disposition =
519. Patrol Captain Marco Laurienzo to Supervisor –
Request for ordinance to place a stop sign at the southeast corner of Branch Way
and Americo Court and to place a stop sign at the northeast corner of Silent
Meadow Lane and Branch Way. Disposition =
520. Gabrielle Miller to Darrell Kaminski and Thomas Messana, NYSDOT Region 5 –
Copy of e-mail regarding Village of Depew Transit Road condition as
unacceptable. Disposition =
521. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding rezone at 00 Genesee Street, SBL
#82.04-2-12 from R.C.O. to C.M.S. Disposition =
522. Erin O’Dell-Keller, State of New York Dept. of Public Service to Supervisor –
Information regarding Lifeline Discount Telephone Service Program. Disposition =
523. Nancy Grant, Erie County Dept. of Real Property Tax Services to Town Clerk –
Transmittal of original and copy of final 2014 tax settlement with Erie County.
Disposition =
524. Laurie Garbo to Town Board –
Information regarding Western New York Sludge Free Alliance Seminar on
September 14, 2014. Disposition =
525. Rachel Chrostowski, ECDEP to Town Clerk, Supervisor and Town Board –
Agricultural District Annual Enrollment Period and 8-Year Review of Districts 16
(Lancaster-Alden) & 17 (Amherst). Disposition =
526. Catherine Braniecki to Supervisor –
Request for reappointment to the Board of Assessment Review for the Town of
Lancaster. Disposition =
527. Erie County Dept. of Emergency Services to Supervisor –
Information regarding Public Information Forum on September 17, 2014, to
discuss the current state of emergency preparedness activities in Erie County.
Disposition =
528. Erie County Dept. of Senior Services to Town Clerk –
Information regarding Public Hearings on September 26, 2014 and October 30,
2014 for 2015 Service & Program Plans for Older Adults. Disposition =
529. Division for Historic Preservation to Supervisor –
Information regarding State and National Registers of Historic Places Historic
District Nomination-August 2014 of the Central Avenue Historic District.
Disposition =
530. Town Clerk to David DePaolo, Fairway Hills Development –
Legal Notice stating that the Town Board will hold a public hearing to amend the
Zoning District Map on September 15, 2014. Disposition =
531. Village of Lancaster to Town Board –
Minutes from regular meeting held on August 25, 2014. Disposition =

532. Abby Snyder, NYSDEC to Town Clerk –
Notice of receipt of resolution passed on August 4, 2014, requesting NYS DEC to revoke/deny any permit granted or under consideration by Quasar Energy Group allowing “Equate” to be spread on farmland within Erie, Wyoming or Niagara Counties. Disposition =
533. Supervisor to Michael Asklar, Erie County Highway Dept. –
Copy of letter from David Maki regarding concerns with the flow of traffic in the west bound direction William St. and specifically at the traffic signal to access Walmart and Orville’s. Disposition =
534. League of Women Voters of Buffalo/Niagara, Inc. to Supervisor –
Comments regarding consolidation/merger efforts of local municipalities. Disposition =
535. Town Clerk to Town Board –
Copy of Clerk’s Monthly Report for August 2014. Disposition =
536. Erie County Legislature to Town Clerk –
2014-2015 School Tax Warrant for Lancaster Central School District #1. Disposition =
537. Erie County Legislature to Town Clerk –
2014-2015 School Tax Warrant for Iroquois Central School District #1. Disposition =
538. Erie County Legislature to Town Clerk –
2014-2015 School Tax Warrant for Depew Union Free School. Disposition =
539. Erie County Legislature to Town Clerk –
2014-2015 School Tax Warrant for Clarence Central School District. Disposition =
540. Erie County Legislature to Town Clerk –
2014-2015 School Tax Warrant for Alden Central School District. Disposition =
541. Rachel Chrostowski, Erie County Environment & Planning to Town of Lancaster –
Public Notice of 30-day period for inclusion of predominantly viable agricultural land into existing agricultural districts & 30-day period for public review of Agricultural Districts 16 (Lancaster-Alden) & 17 (Amherst). Disposition =
542. Paul Maute, Mayor of Village of Lancaster to Supervisor –
Request for 2nd school crossing guard to be assigned to the intersection of Walden Avenue and Central Avenue. Disposition =
543. Highway Superintendent to Town Board –
Request for Town Board to deem 3 pieces of equipment as surplus equipment to be placed in an online auction beginning October 9, 2014. Disposition =
544. NYSDEC to Town Clerk –
Notice of complete application for Article 24 Freshwater Wetlands and & Section 401 Clean Water Act Water Quality Certification for 28 Tranquility Trail. Disposition –
545. Police Officer Jeffrey Smith to Town Clerk –
No objection to fireworks application for Lancaster Speedway. Disposition =
546. Town Clerk to Bill Catania, Jr., Lancaster Speedway –
Approve permit for fireworks display for Lancaster Speedway on September 20, 2014. Disposition =
547. Town Attorney to NYSDEC, Erie County DPW, Division of Sewerage Management, NYSDOT, Erie County Health Dept. & Erie County DEP –
Request for lead agency designation for Winnomotive Properties Addition Located at 4304 Walden Avenue. Disposition =
548. Police Chief to Town Clerk –
Articles and communications. Disposition =

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held September 2, 2014 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Assistant to the Supervisor, to wit:

Claim No. 37039 to Claim No. 37237 Inclusive

Total amount hereby authorized to be paid: \$1,134,167.63

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
23220		Mark L Salamone	39 Greenmeadow Dr	Er. Fence	
23221		Brian & Karen Parisi	51 Hillside Pky	Er. Fence	
23249		Justin & Lori Reid	50 Tranquility Trl	Er. Shed	
23250		Joseph Brecker	3567 Walden Ave	Er. Res. Alt.	(V/L)
23251		John Balconi	32 Hillside Pky	Er. Shed	
23252		Mark & Lynn Thompson	38 Woodgate Dr	Er. Fence	
23253		Mark Ferrara	75 Chestnut Corner	Er. Shed	
23254		Schuster Construction LLC	3495 Walden Ave	Re-Roof	(V/L)
23255		Justin & Erica Wallens	49 Southpoint Dr	Er. Deck	
23256		Daniel & Cynthia Rustowicz	74 Old Post Rd	Er. Shed	
23257		Richard & Linda McDonnell	34 Apple Blossom Blvd	Er. Deck	
23258		470 Aurora Street LLC	470 Aurora St	Er. Sign - Wall	
23259		Douglas Mattingly	780 Townline Rd	Er. Shed	
23260		Riverside Door & Windows Inc.	27 Village View	Re-Roof	
23261		Grau Builders LLC	5 Trentwood Trl	Re-Roof	
23262		Pacific Pools & Spas	19 Farmview Ct	Er. Pool-In Grnd	
23263		Pacific Pools & Spas	19 Farmview Ct	Er. Fence	
23264		Michael Gemerek	28 Hidden Trl	Re-Roof	
23265		Sean Sheppard	12 Bennington Ln	Er. Pool-In Grnd	
23266		William & Lori Skubis	17 Division (V) St	Er. Porch	(V/L)
23267		Sean Sheppard	12 Bennington Ln	Er. Fence	
23268		Forbes Home, Inc.	18 Branch Way	Er. Dwlg.-Sin.	
23269		Timothy Babula	85 Aurora St	Er. Shed	(V/L)
23270		Domenic Cortese	71 Cambria St	Er. Deck	(V/L)
23271		Independent Housing Inc.	23 Oxford Ave	Er. Deck	(V/L)
23272		Michael & Colleen Tranquilli	3 Buckingham Ct	Er. Shed	
23273		Matthew & Antonio Contracting	57 Michael Anthony Ln	Re-Roof	
23274		Glamour Pools	716 Schwartz Rd	Er. Pool-In Grnd	
23275		Glamour Pools	716 Schwartz Rd	Er. Fence	
23276		Nanette Kapp	38 Court St	Er. Porch	(V/L)
23277		Lawrence Jagord	10 Pershing Ave	Re-Roof	(V/L)
23278		Robert & Rita Baldauff	12 Worthington Ln	Er. Fence	
23279		Darren Forcier	7 Dorchester Ct	Er. Res. Alt.	
23280		City Fence Inc.	38 Summerfield Dr	Er. Fence	
23281		Gregory White	119 Garfield St	Re-Roof	(V/L)
23282		Shawn & Karen Marshall	1938 Como Park Blvd	Re-Roof	(V/L)
23283		Jennifer Kush	141 Robert Dr	Er. Fence	(V/L)
23284		Scott & Nicole Spaulding	7 Muirfield Ln	Er. Deck	
23285		Richard Keller	22 Greenmeadow Dr	Er. Pool-Abv Grnd	
23286		Robert Rulz	106 Maple Dr	Re-Roof	
23287		Christopher Bilson	19 Farmview Ct	Er. Res. Alt.	
23288		Switala's Siding Center	140 Central Ave	Re-Roof	(V/L)
23289		Daniel F Vona	20 Grace Way	Er. Fence	
23290		Michael Brown	11 Rollingwood Dr	Er. Deck	
23291		Gerome McLaughlin	9 Rollingwood Dr	Re-Roof	
23292		Steven Buscaglia	24 St Davids Rd	Er. Deck	
23293		H Cope Enterprises Inc.	117 Brunck Rd	Re-Roof	
23294		H Young's Home Improvement	5818 Broadway	Re-Roof	
23295		H Young's Home Improvement	36 Kelly Ct	Re-Roof	(V/L)
23296		Jeremy & Andrea Doak	24 Sawgrass Ln	Er. Fence	

23297	Marrano/Marc Equity Corp	43 Newberry Ln	Er. Dwlg.-Sin.	
23298	Forbes Homes Inc.	18 Silent Meadow Lane	Er. Dwlg.-Sin.	
23299	Forbes Homes, Inc.	7 Branch Way	Er. Dwlg.-Sin.	
23300	Robert Monti	5813 Broadway	Er. Sign - Temp	
23301	Geo & Beverly Tanski	230 Lake Ave	Er. Deck	(V/L)
23302	Bowen Road Acquisition LLC	5 Dover Ct	Er. Dwlg.-Sin.	
23303	Duane & Barbara Kocher	2 Plumb Creek Trl	Er. Fence	
23304	Mike Zolnowski	5084 William St	Er. Fence	
23305	F & D Construction Inc.	21 Wilkshire Pl	Er. Res. Add.	(V/L)
23306	John T Anderson	423 Ransom Rd	Er. Shed	
23307	Wargo Enterprises Inc.	6529 Broadway	Dem. Comm.	
Bldg.				

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO TO WIT:

WHEREAS, the Town of Lancaster is the owner of the Lancaster Library located at 5466 Broadway and maintains the facility as part of an operations and maintenance agreement with the Buffalo and Erie County Public Library System; and

WHEREAS, the Lancaster Library is in need of additional parking spaces to accommodate Library patrons; and

WHEREAS, the New York State Education Department, Division of Library Development offers matching grants to Library Systems for library construction, including land acquisition;

NOW THEREFORE,
BE IT RESOLVED, that the Town of Lancaster hereby encourages the Lancaster Public Library to make application to the New York State Education Department, Division of Library Development for funding to demolish the structure located at 16 School Street and to construct an expanded parking lot for use by Library patrons; and

BE IT FURTHER
RESOLVED, that, as owner of the Lancaster Library, the Town of Lancaster recognizes its responsibility to maintain the facility and, in accordance with this responsibility, hereby commits the amount of \$134,080.00, minus the grant award amount, to be used as matching funds toward this acquisition grant; and

BE IT FURTHER
RESOLVED, that this Board does hereby approve the Grant Agreement between the Town of Lancaster and Town of Lancaster Public Library dated September 18, 2014 subject to approval by the Town Attorney; and

RESOLVED, that as further evidence of its role as owner of the facility and in recognition of the Town’s interest in maintaining the library, the Town of Lancaster hereby authorizes and directs Grantmakers Advantage, the Town’s grant consultant, to complete the necessary application, forms, etc. to be submitted to the New York State Education Department, Division of Library Development for the purpose of securing this grant, and

BE IT FURTHER
RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding, including the Grant Agreement between the Town and Lancaster Library Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town of Lancaster has previously entered into an Agreement with the Lancaster Central School District to operate swimming, playground, gymnasium and educational programs on school sites and in school buildings, which has expired according to its terms on June 30, 2014, and

WHEREAS, the Town Board of the Town of Lancaster desires to renew said Agreement for a five-year (5) term commencing July 1, 2014 through June 30, 2019;

**NOW, THEREFORE, BE IT
RESOLVED**, that the Supervisor be and is hereby directed to execute a Renewal Agreement, between the Town of Lancaster and the Lancaster Central School District pursuant to the terms and conditions as outlined in the agreement subject to the approval of the Town Attorney to utilize school district sites and buildings for the various Town sponsored activities.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Mark Schraven of **Advantage Fitness, LLC**, has submitted a site plan prepared by Greenman-Pedersen, Inc., dated July, 2014, with a revision date of September 5, 2014 and received September 9, 2014 for the proposed construction of a 3,360 +/- square foot fitness facility to include 15 +/- parking spaces to be located at 6161 Broadway, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their July 16, 2014 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on August 4, 2014, in conformance with SEQR (State Environmental Quality Review) regulations and on August 18, 2014 a Negative Declaration was issued.

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Mark Schraven of **Advantage Fitness, LLC**, and prepared by by Greenman-Pedersen, Inc, dated July, 2014, with a revision date of September 5, 2014 and received September 9, 2014 for the proposed construction of a 3,360 +/- square foot fitness facility to include 15 +/- parking spaces to be located at 6161 Broadway.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows :

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, §1660 (18) Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting town roads outside of the Villages of Lancaster and Depew, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to §130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 6th day of October 2014, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing will be published in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 15th day of September, 2014, the said Town Board will hold a Public Hearing on the 6th day of October, 2014, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

**Article STOP INTERSECTIONS; NON-INTERSECTION STOPS;
YIELD INTERSECTIONS**

**46-8.1 Stop Intersections designated, is hereby amended by adding
thereto following:**

HIDDEN PINES SUBDIVISION

<u>Street Name</u>	<u>Intersecting Street</u>	<u>Sign Location</u>
Branch Way	Pine Tree Drive	N.W. Corner

WHISPERING PINES SUBDIVISION

<u>Street Name</u>	<u>Intersecting Street</u>	<u>Sign Location</u>
Branch Way	Americo Court	S.E. Corner
Silent Meadow	Branch Way	N.E. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN Town
Clerk**

September 18, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town owns certain real property in the Village of
Depew commonly known as the Library Building at 321 Columbia Avenue, Lancaster, New
York (the “Property”), and

WHEREAS, the Town Board has obtained an appraisal of the building and
Property and has determined this property to be surplus and has been actively marketing the
property in an attempt to cause a sale, and

WHEREAS, the Town, acting as lead agency has completed an
environmental review for the potential sale of said property on August 18, 2014, in conformance
with SEQR (State Environmental Quality Review) regulations and on September 2, 2014 a
Negative Declaration was issued, and

WHEREAS, NorthPoint Free Will Baptist Church, has offered to purchase
the Property for \$355,000.00 and such other terms and conditions as set forth in the contract
between the parties (the “Agreement”), and

WHEREAS, the Town desires to accept such offer to sell the property to
NorthPoint Free Will Baptist Church subject to the terms and conditions of the Agreement;

NOW, THEREFORE,

BE IT RESOLVED, that the Board hereby (a) determines that the Property
is not needed for Town purposes and that selling the Property pursuant to the terms and conditions
of the Agreement to NorthPoint Free Will Baptist Church its successors or assigns, is in the Town’s
best interest, and

THEREFORE,

BE IT FURTHER RESOLVED that, subject to permissive referenda, the
Board hereby (a) approves the sale of the Property for Purchase Price and pursuant to the terms
and conditions of the Agreement; and (b) authorizes the Supervisor to execute and deliver the
transactional documents required by the Agreement; and (c) authorizes the Supervisor and other
appropriate Town officials to proceed with the implementation of all steps reasonably necessary
and appropriate to implement the terms and conditions of the Agreement and to allow for the
Town’s sale of the Property.

The question of adoption of the foregoing resolution was duly put to a
vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, Town Justices, Anthony Cervi and Nicholas LoCicero, by letter dated August 21, 2014, have requested the creation of two (2) additional positions of Court Officer, part-time in the Town Courts Department to serve as substitutes as needed, and

WHEREAS, the Town of Lancaster currently has four (4) positions for Court Officer, part-time.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create two (2) additional positions of Court Officer, part-time in the Town Courts Department.

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, Daniel Amatura, Highway Superintendent of the Town of Lancaster, in a letter dated September 8, 2014, has advised the Town Board that the Highway Department no longer has use for a 1991 Volvo/Autocar, Plow/Dump (VIN# 4V2SABBE9MU508408), a 1997 Volvo/Autocar, Plow/Dump (VIN# 4V5SABBE9TR516450) and a Drive frame for Frink or American one-way plow, and has requested that the Town Board therefore deem these items to be surplus equipment and permit the Highway Superintendent to offer them at an online auction, and

WHEREAS, the Town Board has given due consideration to the request of the Highway Superintendent and deems it in the public interest to declare the beforementioned equipment to be surplus equipment and permit placement of said items on an online auction;

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster hereby declares the beforementioned 1991 Volvo/Autocar, Plow/Dump (VIN# 4V2SABBE9MU508408), a 1997 Volvo/Autocar, Plow/Dump (VIN# 4V5SABBE9TR516450) and a Drive frame for Frink or American one-way plow to be surplus equipment and authorizes the Highway Superintendent to place said items up for public bid at an online auction with Auctions International, *www.auctionsinternational.com*, 11167 Big Tree Road, East Aurora, New York 14052, beginning the week of October 9, 2014 and concluding on October 23, 2014 with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has the following equipment as surplus equipment: 1991 Volvo/Autocar, Plow/Dump (VIN# 4V2SABBE9MU508408), a 1997 Volvo/Autocar, Plow/Dump (VIN# 4V5SABBE9TR516450) and a Drive frame for Frink or American one-way plow.

This surplus equipment will be auctioned at an online auction with Auctions International, www.auctionsinternational.com, 11167 Big Tree Road, East Aurora, New York 14052, beginning the week of October 9, 2014 and concluding on October 23, 2014.

Successful bidders must provide a payment of 100% of the bid price offered payable to the Town of Lancaster prior to taking possession of the equipment.

The surplus equipment may be inspected at the Town of Lancaster Highway Department, 525 Pavement Road, Lancaster, New York by contacting the Highway Department at 683-3426 to make an appointment.

TOWN BOARD
TOWN OF TOWN OF LANCASTER

By: JOHANNA M. COLEMAN
TOWN CLERK

September 18, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

BE IT RESOLVED, that effective October 1, 2014, the Town of Lancaster, Location Code 30040, hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

TITLE	STANDARD WORK DAY (HRS/DAY)	NAME	SOCIAL SECURITY NUMBER (LAST 4)	REGISTRATION NUMBER	CURRENT TERM BEGIN & END DATES	PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM	RECORD OF ACTIVITIES RESULT
Appointed Officials							
Town Attorney	7	John Dudziak			01/01/14 - 12/31/15	No	13.88

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, California Skateparks, 273 North Benson Avenue, Upland, California 91786, the contractor for the Bryce Buchholz Memorial Skatepark, has submitted Change Order No. 1 in the amount of \$30,000.00 for enhancements to the center portion of the Skatepark to add additional vertical features, to the Town Board for their approval, and

WHEREAS, these enhancements were requested by the Bryce Buchholz Fund, Inc., and will be paid for by the Bryce Buchholz Fund, Inc., and

WHEREAS, the Bryce Buchholz Fund, Inc., has submitted a check in the amount of \$30,000.00 to the Town of Lancaster to fund the change in work requested;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to California Skateparks with respect to the outlined descriptions previously provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 1:

Additional compensation for the installation of additional vertical enhancements to center portion of Skatepark.

CHANGE ORDER NO. 1:

The original Contract Sum was	\$ 247,500.00
The Contract Sum will be increased by this Change Order in the amount of....	\$ 30,000.00
The new Contract Sum increased including this Change Order will be	\$ 277,500.00

BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has recommended to the Town Board the reappointment of Catherine Braniecki as a member of the Town of Lancaster Assessment Review Board.

NOW, THEREFORE, BE IT

RESOLVED, that Catherine Braniecki, Lancaster, New York be and is hereby appointed a member of the Town of Lancaster Assessment Review Board for the term of October 1, 2014 through September 30, 2019.

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

BE IT FURTHER,

RESOLVED, that according to Section 523 of the Real Property Tax Law, the Town Clerk shall notify the Erie County Director of Real Property Services within twenty (20) days of this appointment.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

September 15, 2014